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00862.022032.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:	)	
	:	Examiner: J. Berman
HIROSHI TSUJI ET AL.	)	
	:	Group Art Unit: 2881
Application No.: 09/691,234	)	
	:	
Filed: October 19, 2000	)	
	:	
For: ELECTRON BEAM LITHOGRAPHY )		
APPARATUS	:	December 5, 2003

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST AND CONDITIONAL PETITION  
FOR ACKNOWLEDGMENT OF CLAIM TO PRIORITY  
AND RECEIPT OF FOREIGN PRIORITY DOCUMENT

Sir:

Applicants have received a Notice of Allowance and Issue Fee(s) Due and an accompanying Notice of Allowability in the above-identified application. However, Applicants' claim for foreign priority was not acknowledged in the Notice of Allowability, and the Notice of Allowability also did not acknowledge receipt of the foreign priority document in this application.

Applicants filed a paper entitled Claim to Priority in the Patent and Trademark Office on May 8, 2001, along with a certified copy of the relevant foreign priority document (Japanese Patent Application No. 11-300836, filed October 22, 1999). A copy of that Claim to Priority is enclosed herewith, as is a copy of the postcard bearing

the official Patent and Trademark stamp of receipt evidencing the receipt of that paper by the Patent and Trademark Office. Also enclosed is a copy of the cover page of the priority document.

In view foregoing, it is respectfully requested that the Patent and Trademark Office promptly acknowledge Applicants' claim to priority and the Office's receipt of the foreign priority document in this application.


CONDITIONAL PETITION

If this Request is not promptly granted, Applicants request that this paper be treated as a Petition to the Commissioner under 37 C.F.R. § 1.181(a)(3) for exercise of his supervisory authority, and that the Examiner forward this paper to the appropriate official for decision on such a petition. While no petition fee is thought to be needed, any such fee that is deemed to be due should be charged to Deposit Account No. 06-1205.

CONCLUSION

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants  
Registration No. 42,976

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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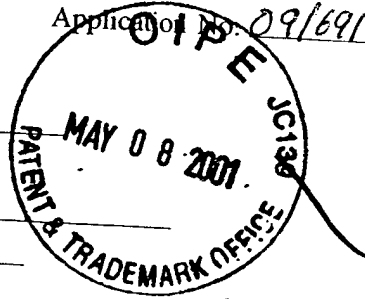


Commissioner for Patents  
Washington, D.C. 20231

Date 5 8 01  
Mo. Day Yr.

Atty. Docket 862C2032

Application No. 09/691,234



Sir:  
Kindly acknowledge receipt of the accompanying:

- Response to Official Action. \_\_\_\_\_
- Check for \$ \_\_\_\_\_ (claims fee)
- Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_
- Notice of Appeal and Check for \$ \_\_\_\_\_
- Information Disclosure Statement, PTO-1449 and \_\_\_\_\_ documents
- Claim for priority and certified copies of one (1) priority applications
- Issue fee transmittal and Check for \$ \_\_\_\_\_
- Other (specify) \_\_\_\_\_

by placing your receiving date stamp hereon and mailing or returning to deliverer.

Atty. FAD/co

Due Date N D D  
Mo. Day Yr.

37 CFR 1.8

37 CFR 1.10

By Hand

FOHS-B-00



862.C203

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	
HIROSHI TSUJI, ET AL.	)	Examiner: Not Yet Assigned
	:	
Application No.: 09/691,234	)	Group Art Unit: 2881
	:	
Filed: October 19, 2000	)	
	:	
For: ELECTRON BEAM	)	
LITHOGRAPHY APPARATUS	)	May 7, 2001

Commissioner for Patents  
Washington, D.C. 20231

CLAIM TO PRIORITY

Sir:

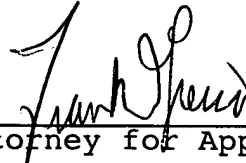
Applicants hereby claim priority under the International Convention and all rights to which they are entitled under 35 U.S.C. § 119 based upon the following Japanese Priority Application:

11-300836, filed on October 22, 1999.

A certified copy of the priority document is enclosed.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

Registration No. 42476

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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*re-executed  
as duplicate original on  
December 5, 2003*

(translation of the front page of the priority document of  
Japanese Patent Application No. 11-300836)

PATENT OFFICE  
JAPANESE GOVERNMENT

This is to certify that the annexed is a true copy of the  
following application as filed with this Office.

Date of Application: October 22, 1999

Application Number : Patent Application 11-300836

Applicant(s) : Hitachi, Ltd.

Canon Kabushiki Kaisha

November 10, 2000

Commissioner,  
Patent Office

Kouzo OIKAWA

Certification Number 2000-3093648

CFM 2032US

# 日 本 国 特 許 庁

PATENT OFFICE  
JAPANESE GOVERNMENT

別紙添付の書類に記載されている事項は下記の出願書類に記載されて  
る事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed  
in this Office.

出 願 年 月 日  
Date of Application:

1999年10月22日

出 願 番 号  
Application Number:

平成11年特許願第300836号

出 願 人  
Applicant(s):

株式会社日立製作所  
キヤノン株式会社

2000年11月10日

特許庁長官  
Commissioner,  
Patent Office

及川耕造

